

**At a meeting of the PLANNING AND HIGHWAYS COMMITTEE held in the CITY HALL COUNCIL CHAMBER on MONDAY 10<sup>th</sup> JUNE 2024 at 5.30 p.m.**

**Present:-**

Councillor Thornton in the Chair.

Councillors Dixon, Foster, Haswell, Herron, Laverick, Scott, D.E. Snowdon and Wood.

**Declarations of Interest**

i) Planning Application 23/02499/FUL – Hetton Car Sales, Station Road Hetton-le-Hole Houghton-le-Spring DH5 9JB

Councillor Dixon made an open declaration that during the initial Members' site visit he had been approached by a resident seeking guidance on procedural matters. He advised that he had referred the resident to the Development Control Manager and that he retained an open mind on the application.

Councillor Scott made an open declaration that he had also spoken to residents on the matter but still retained an open mind on the application.

Councillor Haswell made an open declaration that like Councillors Dixon and Scott he had also spoken with residents regarding the application but retained an open mind on the matter.

ii) Planning Application 24/00143/FUL – 9 Ashton Way Sunderland SR3 3RX

The Chairperson declared that it had just come to her notice that the agent for the applicant was well known to her and therefore she would leave the meeting at the appropriate point on the agenda and would take no part in any discussion or decision on the application.

**Apologies for Absence**

There were no apologies for absence submitted.

**Minutes of the Extraordinary meeting of the Planning and Highways Committee held on 25th March 2024 and the last Ordinary meeting of the Planning and Highways Committee held on 8<sup>th</sup> April, 2024.**

1. RESOLVED that the minutes of the extraordinary meeting of the Planning and Highways Committee held on 25th March 2024 and the last ordinary meeting of the Committee held on 8th April, 2024 be confirmed and signed as correct records.

**Planning Application 23/02018/FUL - Proposed demolition of existing detached garage, and single storey west (front) and north (side) extensions. Construction of one and a half storey extension with dormer windows to west (front), part first floor part two storey extension to north (side), single storey extension to south (side), 2 storey extension to east (rear) including an external balcony terrace at first floor level, and a further terrace at ground floor level. Replacement of existing materials with roof tiles to match existing, dark grey window frames, and mix of existing brick with some render to the north and east elevations. (amended plans received 19/3/24) (amended description 22.05.24). 7 Rock Lodge Road Sunderland SR6 9NX**

The Executive Director of City Development submitted a report and supplementary report (copies circulated) in respect of the above matter.

(for copy reports – see original minutes)

The Chairperson gave time for everyone to read the supplementary report.

The representative of the Executive Director of City Development presented the report advising the Committee of key issues to consider in determining the application.

The Chairperson thanked the Officer for their report and invited questions or comments from Members.

In response to Councillor Dixon's enquiry as to whether it was unusual to receive letters of support from addresses in parts of city well away from the application site, the Planning Officer advised that generally letters in support or objection would be received from addresses close by. Letters from addresses remote from the application site were more unusual, however ultimately whether an application stood or fell would be determined by its compliance with planning policy and guidance.

There being no further questions or comments, it was:-

2. RESOLVED that the application be approved subject to the conditions set out in the main agenda report.

**Planning Application 23/02498/LP3 Local Authority (Reg 3) - Erection of new primary school with nursery provision, new car parking, outdoor play facilities and associated landscaping. Site Of Former Sunningdale Primary School Shaftoe Road SunderlandSR3 4HA**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy reports – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of key issues to consider in determining the application.

The Chairperson thanked the Officer for their report and invited questions or comments from Members.

In response to a series of questions from Councillor Dixon, the Planning Officer advised that it was his understanding that the sports pitch would have an all-weather surface comprising artificial grass. In terms of the pitch use outside of normal school hours, this would only be in relation to the school's own after school activities. There were no plans to open the pitch up for community use and the application did not include any provision for floodlighting.

With regard to highways issues, Councillor Dixon referred to the provision of cycle racks and asked if a survey of demand had been undertaken? He also asked that given the school was a new build, would the Highways Team be pushing the school to produce a travel plan? The Highways Officer confirmed that the cycle storage provision was appropriate for the scale of the school and advised that because the application concerned the relocation of an existing school to a new site, it gave a good indication of what any travel plan would need to cater for. He advised that the Highways Team would be happy to work with the school on the plan if it chose to develop one.

Councillor Dixon referred to the narrowness of Shaftoe Road and asked if any consideration had been given to the use of Strathmore Road as an alternative access route to the school? In reply, the Planning Officer advised that the steepness of the gradient precluded the development of Strathmore Road as an access road to the school. It would also require the removal of several mature trees. In addition, the Highways Officer advised that Shaftoe Road would have 'School Keep Clear' markings down one side to prevent any indiscriminate parking.

In conclusion Councillor Dixon stated that despite the number of questions he had posed, he was very much in favour the applications. He believed it was a great scheme and it was pleasing to see a new school opening in the city.

The Chairperson agreed, stating that she liked to see applications like this coming forward. A new school investing in the city's children and young

people was something that should be welcomed. In particular, she was heartened to see a parent drop-off facility being incorporated into the scheme and believed it was something that all new schools should have.

There being no further questions or comments it was:-

3. RESOLVED that the application be approved under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), subject to the conditions as detailed in the report

**Planning Application 23/02499/FUL - Proposed change of use of former car sales / showroom to a retail convenience store / supermarket, plus alterations to existing shop front and introduction of two chiller condensing units. (Part Retrospective) (amended plan, detailing parking arrangement received 01.05.24). Hetton Car Sales Station Road Hetton-le-Hole, Houghton-le-Spring DH5 9JB**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report, advising the Committee of the key issues to consider in determining the application.

The Chairperson thanked the Officer for their report and invited questions from Members.

Councillor Haswell referred to the parking bays which were present at the first site visit and which objectors had claimed were a bit of a 'nightmare' to manoeuvre a vehicle in and out. The report made reference to formal and informal use of the area, and he asked what this meant in planning terms and what could be done in terms of conditions that could make the area safer for both vehicle users and pedestrians.

The Planning Officer replied that removal of the lines marking out the bays had the effect of informalising the space. It was there as a resource for customers visiting the site to use. Its use as a parking area was controlled through proposed condition 8. The Highways Officer confirmed that in terms of parking, the application was in an acceptable form.

Councillor D.E. Snowdon stated that concerns had been raised regarding pedestrian access to the shop and asked if Officers were happy that it was safe for pedestrians to walk across that parking area to reach the entrance. The Highways Officer replied that in terms of visibility it was a wide, open access. Given there were no issues of visibility the application was acceptable on that basis without the provision of a dedicated pedestrian access.

The Chairperson referred to condition 8 which only mentioned customer parking within the informal space and asked if delivery vehicles would also be allowed to use it. The Highways Officer replied that it would be detailed in the delivery management strategy and confirmed that they would be able to use this space to load and unload safely. Ultimately it would be down to how the shop owner wished to manage the premises.

Councillor Scott expressed concern that there may be patrons and deliveries trying to use the space at the same time and asked if there would be room? The Highways Officer believed that there would be sufficient room. In discussions with the agent for the applicant, it had been confirmed that deliveries would be made via rigid based light delivery vans. There was no intention that large articulated vehicles would be used, and this had been made clear at the very start of the consultation process.

In response to an enquiry from Councillor Dixon, the Planning Officer advised that the merits of the application had been considered on the basis that the social club car park wasn't available for the use of the shop.

Issues were then raised by Councillors Dixon, Scott, and Wood regarding the shared access route both in terms of the possibility that increased traffic and delivery vans could block what was a private road and also the status of the agreement regarding shared access to the road. The Planning Officer drew the Committee's attention to page 69 of the agenda papers where the agent stated 'that the shared access has been long established over time and the applicant has full rights to use it to access the site for both customer parking and deliveries'. The Committee Solicitor then informed Members that private property rights were not a material planning consideration for the Committee in considering the planning application.

Councillor Haswell noted that the application related to the provision of a new retail unit within part of the former Hetton car sales building. He also noted that a section of the building was not included within the proposal. He presumed that the parking assessment related only to the current application and that the adjoining unit could open up at any time under the existing permission, thereby potentially worsening parking issues at the site. He asked if this had been considered when looking at the retail application. The Planning Officer confirmed that it had not. There had been no reason to factor it in as the whole of the building was in the control of the same applicant.

Councillor Haswell referred to the reference in condition 8 to "policy ST3 of the UDP" and asked if it should read "policy ST3 of the Core Strategy and Development Plan" The Planning Officer confirmed that this was the case and that the reference to the UDP had been a typographical error.

There being no further questions, the Chairperson introduced Mr Murphy who was in attendance to speak in objection to the application. In reply Mr Murphy advised that he no longer wished to address the Committee.

The Chairperson then welcomed and introduced Councillor Dave Geddis of Hetton Town Council who was in attendance to speak in objection to the application. He was advised that he would have a maximum of five minutes to address the meeting.

Councillor Geddis stated that he was at a loss because very little had changed from when the Council had first considered the application. The only change appeared to be the removal of some designated parking and some bollards. At least the bays had previously provided an indication of where people should park, now people could park anywhere, and in any way they wanted.

He reminded the Committee that the showman's guild were actually residential properties. The old car show room was lucky to attract more than one or two visits a day. He found it difficult to understand how Highway Officers did not believe there would be parking issues now the premises was to be used as a shop. He stated that he had spoken to local shop keepers who all stated that their bread supplies were delivered by a 'waggon.' He contended that the parking area could barely provided room for 4 or 5 cars let alone a bread waggon and questioned how the vehicle could reverse onto the site without the aid of a banksman.

Councillor Geddis also expressed concern about the light pollution caused by the ATM which was lit up 24 hours a day like 'Blackpool illuminations. With regard to shoppers using the car park of the social club, the owner had previously told the Committee that he would not allow this to happen, and he had subsequently employed a firm to clamp the cars of unauthorised parkers. Councillor Geddis added that nothing had been done to lessen the impact of noise from the shop condensing units on neighbouring properties.

In conclusion Councillor Geddis stated that if the council passed this tonight, it would be "an absolute disgrace" because there were too many unanswered questions.

There being no questions of clarification for Councillor Geddis, the Chairperson welcomed and introduced Mr Kanapashi, the agent for the applicant who was in attendance to speak in support of the application. He was advised that he would have a maximum of five minutes to address the meeting.

Mr Kanapashi stated that it was important to understand that local residents had raised various concerns and that all of these concerns had been addressed. The noise issues in relation to the condensing units had been addressed to the satisfaction of environmental health and the hours of operation for the shop had been reduced. With regard to deliveries, it was up to the applicant to manage these deliveries in the same way deliveries to the local shops and social club were managed by their owners. Deliveries would not be occurring daily, and the vehicles used would be small vans. It was a convenience store not a large supermarket.

In conclusion Mr Kanapashi stressed that the plans would be a great improvement for the area and urged the Committee to support the application.

There being no questions of clarification for Mr Kanapashi, the Chairperson asked if Members wished to comment further on the application.

Councillor Scott stated that he struggled with the parking issue, the impact on the private road and believed that there was not enough room. He expressed concern about pedestrian safety given there was no dedicated footway across the parking area. In conclusion he stated that he didn't think that the application was sustainable, and that he had too many concerns to the extent that he did not think that he could lend his support to the proposals.

Councillor Haswell stated that he shared Councillor Scott's concerns and stated that he found it impossible to rationalise the parking situation.

Having listened to their comments, the Chairperson noted that it appeared members may be minded to refuse the application, and in accordance with the Council's constitution, the Committee's Solicitor then asked the Development Control Manager to explain the implications of a decision contrary to the Officer's recommendation.

The Development Control Manager advised that if a decision was to be made against the officer's recommendation, then there would need to be evidence-based reasons for the decision supported by the Council's planning policies. If a strong reason was not given, then the Council would be at risk of appeal and a potential costs award could be made against it.

Councillor Foster stated that he understood the position of the Development Control Manager but concurred with the concerns raised by Councillor Haswell and Councillor Scott regarding the parking issues. He believed that the informalisation of the parking area could cause problems and that visitors were just going to park anywhere. He felt that there was something just not quite right about the application.

The Chairperson stated that if she was to play devil's advocate it could be argued that there were local shops close by the site of the application that had no parking provision whatsoever and yet were able to manage their deliveries without difficulty.

There being no further comments, Councillor Haswell, seconded by Councillor Scott, moved that the application be refused on the basis that it failed to comply with policy ST3.4 of the Core Strategy and Development Plan as it did not include the level of vehicle parking, as a non-residential development, in accordance with the Council's Parking Standards.

Upon being put to the meeting, the motion was upheld with 6 Members voting in favour and 3 Members voting against.

Accordingly it was:-

4. RESOLVED that the application be refused on the basis that it failed to comply with policy ST3.4 of the Core Strategy and Development Plan as it did not include the level of vehicle parking, as a non-residential development, in accordance with the Council's Parking Standards.

At this juncture, Councillor Thornton having declared her interest in the next application left the meeting. The Vice Chair, Councillor D.E. Snowdon, took the Chair for the following item of business.

**Planning Application 24/00143/FUL - Erection of a two storey side extension and new roof to existing study to side. (amended plans received). 9 Ashton Way Sunderland SR3 3RX**

The Executive Director of City Development submitted a report and supplementary report (copies circulated) in respect of the above matter.

(for copy reports – see original minutes)

The Chairperson gave time for everyone to read the supplementary report.

The representative of the Executive Director of City Development presented the report advising the Committee of key issues to consider in determining the application.

There being no questions or comments for the representative of the Executive Director of City Development, the Chairperson then welcomed and introduced Mr David Cansfield who was in attendance to speak in objection to the application. He was advised that he would have a maximum of five minutes to address the meeting.

Mr Cansfield stated that he was the neighbour of the applicant having lived at 23 Briardene Close for 42 years. The application had come as a shock to him having had no prior notice from his new neighbour of only 3 months.

9 Ashton Way was one of 14 properties on the estate built specifically to occupy the corner plots however it was the only property on the site to have a 45 degree boundary with its neighbour. In the initial application submitted, the proposed extension was almost in contact with the boundary fence. It now stood 380 mm from that fence. The effect was that the extension was closer to Mr Cansfield's patio area than his own property was.

Mr Cansfield then stated that there were a number of questions posed on the application form that the applicant had answered 'no' to incorrectly. These questions concerned shrubs, parking and whether high trees could fall on the extension. Mr Cansfield contended that all these issues applied to the extension.



The screening provided by the high trees that was currently enjoyed by Mr Cansfield would disappear as these trees were to be removed given the proximity of the extension to the boundary. This would leave Mr Cansfield's property fully exposed to the mass of the extension. The 500mm reduction to the extension proposed in the revised application had basically come off the garage leaving the property with a garage measuring 4m by 1.7m. This meant it was not capable of accommodating a car, therefore the application would result in the loss of 2 car parking spaces. Mr Cansfield found it difficult to understand why the highways officers had no objection to this given the existing traffic and parking issues on the Long Meadows estate.

At this juncture Mr Cansfield was advised that his 5 minutes were up. The Committee were asked if they had any questions of clarification for Mr Cansfield and Councillor Haswell asked that Mr Cansfield be able to continue with the rest of his objection. The Committee Solicitor advised Councillor Haswell that was not a question of clarification. The Chair sought advice at this point from the Committee Solicitor who advised that it was at the Chair's discretion if she felt that there was a reason to grant an extension of time to Mr Cansfield, but that the same time would need to be given to the Agent. The Chair thought it appropriate to let Mr Cansfield finish his objection in full and granted Mr Cansfield an extra five minutes and would allow the same time for the Agent to make their representations in support of the application.

Mr Cansfield stated that there had been three sets of plans submitted as part of the application, the original followed by two revisions and contended that there had been a number of discrepancies, errors and issues of incompatibility with them. He stated that the entrance area on the plan did not relate to the elevation drawings and the Committee was being asked to approve an application where the plan said one thing and the elevation drawings said another. There were discrepancies in the height of the study roof between two different elevation drawings and as stated in the Committee report. There were also discrepancies in relation to the distance of the set back required and also in the height of the ridge line. Mr Cansfield also questioned why two toilet windows were required on the front elevation. This was most unusual and contrary to Sunderland's own planning guidelines. In conclusion Mr Cansfield asked that Members undertake a formal site visit given the complexity of the site concerned and queried why no reference was made in the application to ecology given there were bats present in the area.

There being no questions of clarification for Mr Cansfield, the Chairperson then welcomed and introduced Mr Gavin Brown, the agent for the applicant, who was in attendance to speak in support of the application. He was advised that he would have a maximum of five minutes to address the meeting together with an extension of 5 minutes..

Mr Brown stated that he would not require the additional time. He believed that an application had been prepared that met the needs of the family and the requirements of Sunderland's planning policy including the full validation criteria, policy BH1, the development management SPD including paragraph

4.19. As usual he had worked very closely with the Planning Officers to make sure the scheme was acceptable and in keeping with other developments in the local area. Substantial amendments had been made between the first proposal and the second. He felt there was a little bit of confusion on Mr Cansfield's part with regard to the original proposals and the submission of the revised proposals.

The planning officers fully supported the revised proposals and had outlined their rationale for doing so in the report. He believed that all 4 themes of the original objection had been covered in detail in the report and he thanked the Committee for giving him the opportunity to speak.

There being no questions of clarification for Mr Brown, the Chairperson asked if Members had any comments to make on the application.

Councillor Foster moved that further consideration of the application was deferred pending a Members' site visit on the grounds that given the various discrepancies raised by the objector, it would be useful for the Committee to view the site for themselves.

The motion was seconded by Councillor Haswell who stated that he was now no longer clear about various details and having difficulty visualising the effect of the application from the plans.

Upon being put to the vote the motion was upheld with 6 members voting in favour, 1 member voting against and 1 abstention. Accordingly it was:-

5. RESOLVED that further consideration of the application be deferred pending the undertaking of a Members' site visit.

Councillor Thornton returned to the Council Chamber and chaired the meeting for the remaining items of business.

### **Planning Application 24/00542/LP3 Local Authority (Reg 3) Installation of an electricity substation. Gateshead Skills Academy Gateshead College Washington Road Usworth Sunderland**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of key issues to consider in determining the application.

There being no questions or comments, the Chairperson put the officer's recommendation in the report to the Committee and it was:-

6. RESOLVED that the application be approved under Regulation 3 of the Town and Country Planning General Regulations 1992 (as amended), subject to the conditions as detailed in the report.

**Planning Application 24/00749/TC3 Tree in Conservation Area (Reg3)  
Fell 5 no. Cypress trees. The Gardens Silksworth Gardens  
SunderlandSR3 2PE**

The Executive Director of City Development submitted a report and supplementary report (copies circulated) in respect of the above matter.

(for copy reports – see original minutes)

The Chairperson gave time for everyone to read the supplementary report.

The representative of the Executive Director of City Development presented the report advising the Committee of key issues to consider in determining the application. Further to the main report and as detailed in the supplementary report, the Planning Officer advised that the consultation period expired on 10<sup>th</sup> June 2024 and confirmed that no representations had been received.

There being no questions or comments, the Chairperson put the Officer recommendation to the Committee and it was:-

7. RESOLVED that the application be approved subject to the conditions set out in the main agenda report.

**Planning Application 24/00888/ADV Advert Application Erection of 2  
internally illuminated, free standing advertisement boards  
(Retrospective). Rowlandson House1 Rowlandson Terrace  
SunderlandSR2 7SU**

The Executive Director of City Development submitted a report (copy circulated) in respect of the above matter.

(for copy report – see original minutes)

The representative of the Executive Director of City Development presented the report advising the Committee of key issues to consider in determining the application.

The Chairperson thanked the Officer for their report and invited questions or comments from Members.

Councillor Dixon stated that the objection, as it stood at the moment, presumably centred on the issue that the signs were illuminated. He referred to the smaller of the two signs which faced towards the Cedars that he felt

personally was acceptable and asked why it had been deemed as inappropriate. The Planning Officer replied that the LPA could not just look at the one sign. It needed to consider the application as a whole and assess the cumulative impact of both signs on the character of the conservation area. The premises was located in an historic terrace and the signage was very commercial in nature. It was considered that it didn't represent what one would expect to see in a conservation area.

Councillor Dixon replied that he accepted the point regarding the illumination but in terms of the colour of the signage he did not feel that it was inappropriate. He stated that it was not dissimilar to the signage at Gorse Road Nursery which he believed was also within the conservation area.

The Chairperson referred to a reference in the officer presentation regarding a willingness from the LPA to undertake further dialogue with the applicant and asked if any discussion had taken place to see if agreement could be reached on signage that would be more sympathetic and appropriate for the conservation area. The Planning Officer advised that the Case Officer was not present but stated that she could not see anything on the application file that would suggest that. She added however that the LPA would be more than happy to sit down with the applicant or agent with a view to finding a more suitable form of design.

The Chairperson then welcomed and introduced Dr Anton Lang, the agent for the applicant who was in attendance to speak in support of the application. He was advised that he would have a maximum of five minutes to address the meeting.

Dr Lang stated that sometimes the smallest applications had the largest amount of intricacy. The application for consent was made because the signs were illuminated and during the dark winter nights would probably be needed. The advert regulations were extremely complex, but Dr Lang did not believe the smaller sign required any consent despite being in a conservation area if it remained unilluminated. He stated that on corner sites you were permitted two signs under the regulations. He stated that Members had visited the site and therefore would be aware that the issue of design and impact of signage in a conservation area was very subjective. However, whilst the site was in a conservation area, he believed it had a 'very main road' feel about it with a lot of light generated by the illuminated signs of the garage opposite and the various traffic lights. Because of this when Dr Lang's client had installed the signs, he had believed that they would be ok.

Dr Lang further stated that there were a number of options. The Committee could approve the signage with a condition that they were not turned on. They could agree that they could be turned on but with limitations eg: only between the hours of 2pm and 8pm. He believed that the illumination of the signs in the location was acceptable, the colours were soft enough and the lettering was appropriate for the building's use as a nursery. He felt that the objection to the materials used was an over concern of the Conservation Officer.

The Chairperson thanked Dr Lang and asked Members if they had any questions of clarification for him in respect of the points he had made.

In response to a question from Councillor Dixon regarding the logic of having two signs, Dr Lang replied that it was simply to make the best use of the corner site with the two signs facing different ways.

The Chairperson then asked if the Committee had any further comments on the application.

Councillor Dixon stated that he would be supporting the view of the Planning Officer with regard to the issue of illumination and hoped that further discussion would result in a satisfactory alternative solution being found.

Councillor Scott stated that he would be supporting the officer recommendation but believed that the two parties were not too far apart and hoped that a satisfactory compromise could be reached.

Councillor D.E. Snowdon stated that she would also be supporting the officer recommendation.

There being no further comments, the Chairperson put the Officer recommendation to the Committee and it was:-

8. RESOLVED that the application be refused for the reason as set out below:-

'The proposed signs by virtue of their design, size and siting, would appear extremely prominent in this location and would introduce a highly visible and incongruous feature into the street scene to the detriment of the visual amenities of the area and contrary to the requirements of policy BH4, BH7, BH8, of the adopted Core Strategy, section 4B of The Cedar CAMS and Development Plan and paragraph 141 of the National Planning Policy Framework'

### **Items for information**

Members gave consideration to the items for information contained within the matrix.

In response to an enquiry from Councillor Haswell, the Planning Officer advised that all the items detailed on the matrix were scheduled to be brought to the Committee for determination including Application 24/00392/FUL, Land at 32 Priory Grove.

Councillor Dixon referred to Application 23/02592/LP3 – Red Gables and asked when this was likely to be brought before the Committee. In reply, the Planning Officer advised that it would be late July 2024 at the very earliest before a report would be brought to the Committee.

The Chairperson asked that a Committee site visit to Red Gables was undertaken prior to the application being submitted to the Committee for consideration.

9. RESOLVED that the items for information as set out in the matrix be received and noted and that a site visit in respect of Application 23/02592/LP3 – Red Gables be undertaken prior to the application being submitted to the Committee.

The Chairperson then closed the meeting having thanked everyone for their attendance and contributions.

(Signed) M. THORNTON  
(Chairperson)